

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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TERRY R. COCHRANE,

Petitioner,

Case No. 3:13-cv-00077-MMD-WGC

ORDER

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RENEE BAKER, et al.,

Respondents.

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner.

Petitioner has filed a motion to proceed *in forma pauperis*. (Dkt. no. 1.) Based on the information regarding petitioner's financial status, the Court grants the motion to proceed *in forma pauperis*.

The petition shall now be filed and served on respondents. A petition for federal habeas corpus should include all claims for relief of which petitioner is aware. If petitioner fails to include such a claim in his petition, he may be forever barred from seeking federal habeas relief upon that claim. See 28 U.S.C. §2254(b) (successive petitions).

IT IS THEREFORE ORDERED that the application to proceed *in forma pauperis* (dkt. no. 1) is GRANTED. The Clerk of Court shall file the petition (dkt. no. 1-2).

IT IS THEREFORE ORDERED that the Clerk shall electronically serve the petition upon the respondents.

1 IT IS FURTHER ORDERED that respondents shall have forty-five (45) days from
2 entry of this order within which to answer, or otherwise respond to, the petition. In their
3 answer or other response, respondents shall address all claims presented in the
4 petition. Respondents shall raise all potential affirmative defenses in the initial
5 responsive pleading, including lack of exhaustion and procedural default. Successive
6 motions to dismiss will not be entertained. If an answer is filed, respondents shall
7 comply with the requirements of Rule 5 of the Rules Governing Proceedings in the
8 United States District Courts under 28 U.S.C. §2254. If an answer is filed, petitioner
9 shall have forty-five (45) days from the date of service of the answer to file a reply.

10 IT IS FURTHER ORDERED that any state court record exhibits filed by
11 respondents shall be filed with a separate index of exhibits identifying the exhibits by
12 number or letter. The hard copy of all state court record exhibits shall be forwarded, for
13 this case, to the staff attorneys in the Reno Division of the Clerk of Court.

14 IT IS FURTHER ORDERED that, henceforth, petitioner shall serve upon the
15 Attorney General of the State of Nevada a copy of every pleading, motion, or other
16 document he submits for consideration by the Court. Petitioner shall include with the
17 original paper submitted for filing a certificate stating the date that a true and correct
18 copy of the document was mailed to the Attorney General. The Court may disregard
19 any paper that does not include a certificate of service. After respondents appear in this
20 action, petitioner shall make such service upon the particular Deputy Attorney General
21 assigned to the case.

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23 DATED THIS 14th day of May 2013.

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27 MIRANDA M. DU
28 UNITED STATES DISTRICT JUDGE